

SEALEDCLERK'S OFFICE U.S. DIST. COURT
AT ABINGDON, VA
FILED

UNITED STATES DISTRICT COURT

for the

Western District of Virginia

OCT 04 2013

JULIA C. DUDLEY, CLERK
BY: *af. Clark*
DEPUTY CLERK

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)
7090 Clinch Mountain Road
Saltville, VA

Case No. 1:13MJ295

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that there is now concealed on the following person or property located in the Western District of Virginia (identify the person or describe property to be searched and give its location): 7090 Clinch Mountain Road, Saltville, VA (to include the residence, curtilage, outbuildings, structures, persons present, and vehicles present). Attachment A consists of a photograph of the residence.

The person or property to be searched, described above, is believed to conceal (identify the person or describe the property to be seized): See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of 21 U.S.C. § 846/841(a)(1), and the application is based on these facts: See Attachment C

☒ Continued on the attached sheet.

☐ Delayed notice of days (give exact ending date if more than 30 days:) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Brian Snedeker
Applicant's signature

Brian Snedeker, Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: 10/4/13

Pamela Meade Sargent
Judge's signature

City and state: Abingdon, Virginia

Pamela Meade Sargent, USMJ
Printed name and title

ATTACHMENT A



7090 Clinch Mountain Road, Saltville, VA

ATTACHMENT B

1. Methamphetamine laboratory precursors, chemicals, and equipment (and original packaging of same) including the following: pseudoephedrine, ammonium nitrate (e.g. instant cold packs), lithium (e.g. batteries containing lithium), sodium hydroxide (e.g. Red Devil Lye), petroleum ether/petroleum naphtha/white gas (e.g. Coleman Fuel, lighter fluid), muriatic acid, sulfuric acid, table salt, aluminum foil, plastic soda bottles (empty or no longer containing original contents), glass mason jars, plastic food storage containers, Ziplock-type plastic bags, plastic tubing, electrical tape and/or duct tape, coffee filters, pipe cutters (used to cut open lithium batteries), electric hot plates/electric skillets, frying pans, razor blades, digital scales, funnels, and stirring utensils.
2. Unidentified powders (processed/semi-processed precursors, chemicals).
3. Glass jars and plastic bottles/storage containers filled with unidentified liquids or sludges (processed/semi-processed precursors and other unidentified mixtures related to the manufacturing of methamphetamine)
4. Devices used to communicate with methamphetamine manufacturing co-conspirators including cellular telephones, pagers, and two-way radios; electronic equipment used for counter-surveillance to include scanners, anti-bugging devices, and video surveillance cameras..
5. Books, receipts, ledgers, notes, and videos pertaining to the illicit manufacturing of methamphetamine and the purchasing and transporting of methamphetamine precursors, chemicals, and equipment.
6. Messages/letters, telephone numbers, and addresses relating to the illicit manufacturing of methamphetamine and the purchasing and transporting of methamphetamine precursors, chemicals, and equipment. These messages/letters, telephone numbers, and addresses may be written on personal calendars, personal address and /or telephone books, Rolodex type indices, notebooks, loose pieces of paper, and found in mail.
7. Photographs and videos depicting persons involved with/engaged in the manufacturing/use of methamphetamine and/or the purchasing, preparing, and storing of methamphetamine laboratory precursors, chemicals, and equipment.

ATTACHMENT B (Continued)

8. Items or articles of personal property tending to show ownership, dominion, or control of the premises/property/vehicles. Such items or articles include (but are not limited to) personal identification, personal correspondence, diaries, checkbooks, notes, photographs (including digital), keys, receipts, personal telephone and address books, videos, and motor vehicle related documents (titles/registrations).
9. Items listed in Paragraphs 5 through 8 may be stored in digital media. Therefore, digital media (including but not limited to computers/computer hard drives, floppy disks, CD's, flash/jump drives, personal digital assistants (PDA's), cellular telephones, digital cameras, iPODs, iPADS, etc.) are to be seized and examined for the items listed in Paragraphs 5 through 8.

ATTACHMENT C

AFFIDAVIT of
Special Agent Brian Snedeker
Drug Enforcement Administration
Bristol, Virginia


1. I, Special Agent Brian Snedeker, being duly sworn hereby depose and say:
2. The purpose of this application and affidavit is to secure a search warrant for the premises known as 7090 Clinch Mountain Road, Saltville, VA. This affiant, after obtaining and reviewing information and participating in a criminal investigation, believes there is evidence of conspiracy to manufacture methamphetamine at 7090 Clinch Mountain Road, Saltville, VA in violation of 21 USC 841(a)(1) and 846/841(a)(1).
3. I am a Special Agent with the Drug Enforcement Administration (DEA) and have been so employed for approximately (22) years. During my employment I have received comprehensive classroom training from the Drug Enforcement Administration in specialized narcotic investigative matters including but not limited to drug interdiction, drug detection, money laundering techniques and schemes, smuggling, and the investigation of individuals and organizations involving the smuggling, cultivation, manufacturing, and illicit trafficking of controlled substances and controlled substance precursors. I am a graduate of both the DEA's Clandestine Laboratory Investigation/Safety Certification Program and the DEA's Clandestine Laboratory Site Safety Officer School. I have participated in the execution of more than (300) narcotics related search warrants and the seizure and dismantling of more than (200) clandestine methamphetamine laboratories. I have testified as an expert on multiple occasions in Federal Court and State Court regarding the clandestine manufacturing of methamphetamine.
4. The facts set forth in this affidavit are known to me as a result of my personal participation and information provided to me by other law enforcement officers.
5. The manufacturing of methamphetamine (a Schedule II Controlled Substance) by way of the ammonium nitrate/lithium metal method (also known as the "shake and bake" or "one pot" method) requires pseudoephedrine/ephedrine (obtained through the processing of cold/allergy pills, tablets, gelcaps, and liquids containing pseudoephedrine or ephedrine), ammonium nitrate (found in instant cold packs), and lithium metal (found in lithium batteries). Other chemicals/ingredients commonly used during the ammonium nitrate/lithium metal method include sodium hydroxide (e.g. Red Devil Lye), petroleum ether/petroleum naphtha/white gas (e.g. Coleman Fuel, lighter fluid), acetone, muriatic acid, sulfuric acid, table salt, and aluminum foil. Equipment/tools commonly used during the manufacturing of methamphetamine include soda bottles, glass mason jars, plastic food storage containers, plastic tubing, electrical tape and/or duct tape, coffee filters, pipe cutters (often used to open lithium batteries), Ziplock-type plastic bags, frying pans/electric skillets/propane burners (to dry the methamphetamine), razor blades, digital scales, funnels, and stirring utensils.

4. Individuals who manufacture methamphetamine usually use and sell/trade the methamphetamine they manufacture. These manufacturers routinely have other persons (hereafter referred to as "shoppers") assist them in the purchasing of precursors, chemicals, and equipment/supplies needed to manufacture methamphetamine. Manufacturers will regularly pay shoppers in methamphetamine (to use and sell) and/or cash for their assistance. Manufacturers routinely store their lab supplies and equipment at co-conspirators'/shoppers' residences. Methamphetamine manufacturers oftentimes leave manufacturing related waste/by-products at co-conspirators'/shoppers' residences.
5. During February and March 2013, this affiant reviewed pseudoephedrine sales data provided by a number of retailers (as required under The Combat Methamphetamine Epidemic Act of 2005) and lithium battery/instant cold pack sales data maintained by a number of retailers and identified Norman Grabowski and Tina Grabowski as having purchased items/ingredients consistent with the manufacturing of methamphetamine via the ammonium nitrate/lithium metal method from November 2012 to March 1, 2013. The sales data included the following information:
 - On 11-07-2012, Tina Grabowski purchased a (10) day supply of pseudoephedrine.
 - On 11-13-2012, Norman Grabowski purchased a (10) day supply of pseudoephedrine.
 - On 11-20-2012, Tina Grabowski purchased a (10) day supply of pseudoephedrine.
 - On 11-26-2012 at 12:03pm, Tina Grabowski purchased an instant cold pack (ammonium nitrate). Approximately (11) minutes later, Norman Grabowski purchased a (10) day supply of pseudoephedrine.
 - On 12-02-2012, Tina Grabowski purchased a (10) day supply of pseudoephedrine and lithium batteries.
 - On 12-10-2012, Norman Grabowski purchased a (10) day supply of pseudoephedrine.
 - On 12-23-2012, Tina Grabowski purchased a (6) day supply of pseudoephedrine.
 - On 12-26-2012, Norman Grabowski purchased a (10) day supply of pseudoephedrine.
 - On 01-01-2013, Tina Grabowski purchased a (10) day supply of pseudoephedrine and an instant cold pack.
 - On 01-09-2013, Norman Grabowski purchased a (12) day supply of pseudoephedrine.

- On 01-21-2013, Tina Grabowski purchased a (15) day supply of pseudoephedrine.
 - On 01-28-2013, Norman Grabowski purchased a (15) day supply of pseudoephedrine.
 - On 02-05-2013, Tina Grabowski purchased a (10) day supply of pseudoephedrine and an instant cold pack.
 - On 02-14-2013, Tina Grabowski purchased an instant cold pack.
 - On the night of 02-25-2013, Norman Grabowski purchased a (15) day supply of pseudoephedrine and Tina Grabowski purchased lithium batteries. Both purchases were made at the same pharmacy.
 - On 03-01-2013, Tina Grabowski purchased a (15) day supply of pseudoephedrine.
6. On 03-14-2013, a federal search warrant was executed at the Grabowski residence located at 7090 Clinch Mountain Road, Saltville, VA. As a result of the execution of the search warrant, methamphetamine residue (confirmed via laboratory analysis) was seized. Tina Sue Grabowski subsequently admitted that she had had been supplying a methamphetamine manufacturer in Saltville, VA with the methamphetamine laboratory ingredients in exchange for methamphetamine. Tina Sue Grabowski is currently charged in state court with possession of methamphetamine.
7. This affiant recently reviewed pseudoephedrine, lithium battery, and instant cold pack sales data maintained by a number of retailers (reference ¶5 above) and noted the following:
- On 07-18-2013, Norman Grabowski purchased an instant cold pack.
 - On 07-27-2013, Tina Grabowski purchased a (15) day supply of pseudoephedrine.
 - On 08-15-2013, Norman Grabowski purchased a (10) day supply of pseudoephedrine.
 - On 08-29-2013, Norman Grabowski purchased a (15) day supply of pseudoephedrine.
 - On 09-04-2013, Tina Grabowski purchased a (15) day supply of pseudoephedrine.
 - On 09-11-2013, Norman Grabowski purchased a (10) day supply of pseudoephedrine and an instant cold pack.

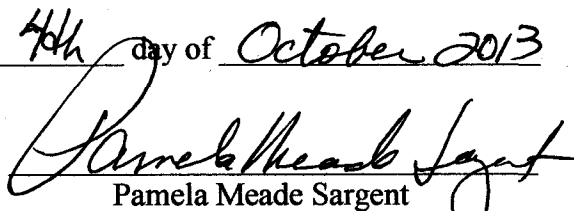
- On 09-21-2013, Norman Grabowski purchased a (10) day supply of pseudoephedrine and Tina Grabowski purchased lithium batteries.
 - On 09-30-2013, Norman Grabowski purchased a (15) day supply of pseudoephedrine.
8. Pseudoephedrine, lithium (batteries), and ammonium nitrate (instant cold packs) are key ingredients to the manufacturing of methamphetamine via the ammonium nitrate/lithium metal method. During the last several years, this affiant has routinely found and seized (via search warrants and consent searches) the aforementioned ingredients (and packaging of same) at methamphetamine manufacturing/precursor preparation sites. This affiant has encountered and seized said ingredients at such sites in various forms/stages (e.g. sludges/mixed with liquids) related to methamphetamine production and contained in a variety of glass and plastic containers days, weeks, and even months after the ingredients were purchased at pharmacies/retail stores.
 9. A review by this affiant of Norman Grabowski's criminal history revealed Grabowski's 1996 felony conviction in New Jersey for possession of a Controlled Dangerous Substance or Analog.
 10. This affiant is aware based on his training, experience, and conversations with other law enforcement officers that individuals who illegally manufacture methamphetamine and/or conspire to do so typically maintain methamphetamine manufacturing precursors/chemicals/equipment (as described in paragraph #5 above) along with receipts / notes / records / telephone numbers (as they pertain to manufacturing/conspiracy to manufacture), and other items as listed and explained on Attachment B (of the Application and Affidavit for Search Warrant to which this affidavit is attached) on their persons, inside their residences, garages, outbuildings/barns, campers, vehicles (or the vehicles they operate), and inside of vehicles registered to other persons when those vehicles are parked at the manufacturer's/conspirator's residence/property.
 11. Individuals who manufacture methamphetamine and/or conspire to do so routinely have persons who are methamphetamine users and/or additional co-conspirators (i.e. shoppers) present at their residences/properties. These users/co-conspirators often illegally possess methamphetamine and methamphetamine use paraphernalia and routinely possess notes, stored telephone numbers, and messages pertaining to their relationships with methamphetamine manufacturers/manufacturing co-conspirators. These users/co-conspirators are oftentimes in possession of other items as listed and explained on Attachment B (of the Application and Affidavit for Search Warrant to which this affidavit is attached) and possess these items on their persons and in their vehicles (or the vehicles they operate) which are oftentimes parked at the drug manufacturer's/co-conspirator's residences/properties.

12. Norman and Tina Grabowski's known residence is 7090 Clinch Mountain Road, Saltville, VA (located within the Western District of Virginia).
13. Based upon the facts set forth above, I believe there is probable cause for the issuance of a search warrant for the premises known as 7090 Clinch Mountain Road, Saltville, VA


Brian Snedeker, Special Agent (DEA)

10-4-2013
Date

Subscribed and sworn to before me, this the _____ day of _____, 2013
in Abingdon, Virginia.


Pamela Meade Sargent
United States Magistrate Judge
Western District of Virginia